

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey M. ISNER, et al. Group Art Unit: 1636  
Serial No.: 09/698,323 Examiner: Dr. Quang Nguyen  
Filing Date: October 27, 2000  
For: COMPOSITIONS AND METHODS FOR MODULATING  
VASCULARIZATION

\*\*\*\*\*

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee", Mailing Label No. **EV342613064US**, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on **November 14, 2003**.

By: Patricia A. Barnes  
Patricia A. Barnes

\*\*\*\*\*

Commissioner of Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

ASSOCIATE POWER OF ATTORNEY

Dear Sir:

Please recognize the following as Associate Attorneys for the above-referenced U.S. Patent Application:

Attorney Name	Registration No.:
George W. Hartnell, III	42,639
John B. Alexander	48,399
Steven M. Jensen	42,693
Kathryn A. Piffat	34,901
Richard J. Roos	45,053
Peter J. Manso	32,264
Dianne M. Rees	45,281
Lisa S. Hazzard	44,368
John J. Penny, Jr.	36,984

Gregory B. Butler 34,558  
David A. Tucker 27,840

Respectfully submitted,

November 14, 2003  
Date

Customer No.: 21874

William J. Daley  
William J. Daley, Jr., Esq., Reg. No. 35,487  
EDWARDS & ANGELL, LLP  
P.O. Box 9169  
Boston, MA 02209  
Tel: 617-439-4444  
Fax: 617-439-4170 / 7748

#354978

[illegible]

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 CFR §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Prior U.S. Applications or PCT International Applications Designating the U.S-Benefit Under 35 U.S.C. §120				
U.S. Applications		Status (Check One)		
Application Serial No.	U.S. Filing Date	Patented	Pending	Abandoned
PCT Applications Designating the U.S.				
Application No.	Filing Date	U.S. Serial No. Assigned		

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)**  
(35 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

Applicant	Provisional Application Number	Filing Date
Jeffrey M. Isner, et al.	60/077,262	March 9, 1998

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) with full powers of association, substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Sewell P. Bronstein (Reg. No. 16,919)  
David G. Conlin (Reg. No. 27,026)  
George W. Neuner (Reg. No. 26,964)  
Linda M. Buckley (Reg. No. 31,003)  
Peter F. Corless (Reg. No. 33,860)

Peter J. Manus (Reg. No. 26,766)  
Cara Z. Lowen (Reg. No. 38,227)  
William J. Daley, Jr. (Reg. No. 35,487)  
Robert L. Buchanan (Reg. No. 40,927)  
Christine C. O'Day (Reg. No. 38,256)

<b>SEND CORRESPONDENCE TO:</b> Robert L. Buchanan Dike, Bronstein, Roberts & Cushman, LLP 130 Water Street Boston, Massachusetts 02109	<b>DIRECT TELEPHONE CALLS TO:</b> Robert L. Buchanan  (617) 523-3400
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2 0 1	FULL NAME OF INVENTOR	LAST NAME Isner	FIRST NAME Jeffrey	MIDDLE NAME M.
	RESIDENCE & CITIZENSHIP	CITY Weston	STATE OR FOREIGN COUNTRY Massachusetts	COUNTRY OF CITIZENSHIP USA
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 34 Brenton Road	CITY Weston	STATE OR COUNTRY AND ZIP CODE MA 02193

2 0 2	FULL NAME OF INVENTOR	LAST NAME Asahara	FIRST NAME Takayuki	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY Arlington	STATE OR FOREIGN COUNTRY Massachusetts	COUNTRY OF CITIZENSHIP Japan
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 38 Hayes Street	CITY Arlington	STATE OR COUNTRY AND ZIP CODE MA 02174

2 0 3	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY AND ZIP CODE

2 0 4	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
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	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY AND ZIP CODE

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	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY AND ZIP CODE

2 0 6	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
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2 0 7	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
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2 0 8	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY AND ZIP CODE

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor 201	Signature of Inventor 202
Date: <i>Jeffrey Jones MD</i>	Date: <i>John Li</i>

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27 (d)) - NONPROFIT ORGANIZATION**

Docket No.  
47624 (1417)

Serial No.  
09/265,041

Filing Date  
March 9, 1999

Patent No.

Issue Date

Applicant/ Patentee: Jeffrey M. Isner; and Takayuki Asahara

Invention: COMPOSITIONS AND METHODS FOR MODULATING VASCULARIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: St. Elizabeth's Medical Center of Boston, Inc.

ADDRESS OF ORGANIZATION: 736 Cambridge Street  
Boston, MA 02135

**TYPE OF NONPROFIT ORGANIZATION:**

- ☐ University or other Institute of Higher Education
- ☒ Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3))
- ☐ Nonprofit Scientific or Educational under Statute of State of The United States of America  
Name of State: Citation of Statute:
- ☐ Would Qualify as Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3)) if Located in The United States of America
- ☐ Would Qualify as Nonprofit Scientific or Educational under Statute of State of The United States of America if Located in The United States of America  
Name of State: Citation of Statute:

I hereby declare that the above-identified nonprofit organization qualifies as a nonprofit organization as defined in 37 C.F.R. 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification to be filed herewith.
- ☒ the application identified above.
- ☐ the patent identified above.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the above-identified nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.  
☐ each such person, concern or organization is listed below.

FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

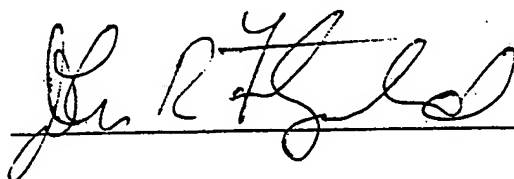
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: John Fitzgerald

TITLE IN ORGANIZATION: Vice President, Finance

ADDRESS OF PERSON SIGNING: 736 Cambridge Street  
Boston, MA 02135

SIGNATURE: \_\_\_\_\_



DATE: \_\_\_\_\_

5/13/99



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By: Patricia A. Barnes  
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Boston, MA 02209  
Tel: 617-439-4444  
Fax: 617-439-4170 / 7748

#354979